



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Toshima Sakurai; Jinhun Shou; Peter Chu Tin Teng
Assignee: NEC Electronics America, Inc.
Title: PCI-EXPRESS TO PCI/PCI X TRANSLATOR
Application No.: 10/780,023 Filing Date: February 17, 2004
Examiner: Justin King Group Art Unit: 2181
Attorney Docket No.: NEC0251US Confirmation No.: 9597

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
PURSUANT TO 37 C.F.R. § 1.131

Dear Sir:

PURPOSE OF THE DECLARATION

The Office Action dated January 24, 2006, rejected all claims under 35 U.S.C. §103(a) as being unpatentable over the background section of the instant application (asserted as admitted prior art) in view of Hsieh (U.S. Patent Application Publication No. 705/0258243). The effective date of Hsieh is February 12, 2004.

Best Available Copy

DECLARATION

We, Toshimi Sakurai, Jinhun Shou, and Peter Chu Tin Teng declare as follows:

1. We are the inventors of the claimed subject matter of the above-referenced application.
2. We conceived the claimed subject matter of the above-referenced application in the United States prior to February 12, 2004, the effective date of Hsieh.
3. Attached is Exhibit A. Exhibit A includes a hard copy of a final draft of the above-referenced application, which is identical to the above-referenced application as filed.
4. Attached is Exhibit B. Exhibit B includes a hard copy of an email sent to us on February 5, 2004. The email included as an attachment, the final draft set of Exhibit A along with a declaration for patent application/power of attorney for our review.
5. Exhibits A and B establishes our invention of the subject matter set forth in claims of the above referenced application prior to February 12, 2004, the effective date of Hsieh.
6. Exhibits A and B and our execution of the declaration for patent application/power of attorney (a copy of which is in the record) show due diligence from prior to February 12, 2004, the effective date of Hsieh, to February 17, 2004, the filing date of the above-referenced application.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

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